PREVENTION: WHEN A FAMILY IS IN THE UNITED STATES

FAMILY PREPAREDNESS PLAN

A family preparedness plan is a list of recommendations developed by community organizations in the U.S. to prepare families in case they face detention or deportation proceedings.

Families should join a migrant rights organization or community group close to home in order to learn about their rights, how to defend them, how to find legal representation and how to make a specific plan that takes into account the families particular situation.

There are three principal components within a plan:
children, belongings, and financial resources.

Custody of Your Children:

If you run the risk of detention or deportation in the U.S., you should establish a plan for the custody of your children. It is important to include all of your children in the custody plan whether or not they were born in the U.S.

The most secure way to designate temporary physical custody of your children is through a **Power of Attorney**. The Power of Attorney assures that the person you designate to take care of your children has the legal tools to make decisions about their well-being, including health, education, and legal issues.

A Power of Attorney is not the same as a family court judgment. It is important to understand the specifications of your custody plan so your children are well protected. Make sure that you are not granting permanent custody to another person if it is not what you want.

Each state has different Power of Attorney requirements. The Mexican Consulate nearest you will have information about organizations and migrant rights groups in your area that can provide legal assistance.

Without a Power of Attorney, it is possible that your children could end up in the custody of the Department of Child Services, which can complicate reunification with your children.

Belongings and Assets

In order to protect your valuable belongings, such as cars, homes, and businesses, you can prepare a Power of Attorney that designates someone you trust to take responsibility for your personal matters in the case of detention or deportation. You can designate one person to handle all your belongings and finances, or you can divide responsibilities between various people with separate Powers of Attorney. It is recommended that you designate a family member or an acquaintance that is a Legal Permanent Resident or U.S. Citizen so he/she can represent your interests in the U.S. without concerns about his/her immigration status.

Bank Accounts:

Find out whether you can manage your bank account (via internet or phone) from Mexico in the case of deportation. If this isn´t possible, ask a bank representative to provide you with the requirements for a Power of Attorney in order to authorize a third party to access your account.

Emergency Contacts:

It is important to designate an emergency contact person in case you are arrested, detained or deported. This person will be in charge of calling a local immigration and/or criminal attorney that knows you or collaborates with an organization of which you are a member. Your emergency contact will also communicate with the people you designated in your Powers of Attorney. You will need to memorize the complete name and telephone number of your emergency contact.

This support network will help ensure that someone knows where you are at all times and will help you maintain contact with your family.

For a complete list of documentation that you should prepare as part of your plan, see the Family Preparedness Plan published by the Immigrant Legal Resource Center (ILRC). In addition to the ILRC list, it is important to gather together documentation that proves how long you have resided in the U.S. This can generally be proven with utilities bills you have paid (telephone, electricity, gas, water, etc.).

For more information, contact the Mexican Consulate in your area to see what services they offer and how they can be a part of your preparedness plan.